

MAR 15 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

AURELIANO LEGIS-ALVAREZ; ROSA
ELVIA ZAMUNDIO-LOPEZ;
FERNANDO LEGIS-ZAMUNDIO;
MARIA DE LOS ANGELES LEGIS-
ZAMUNDIO,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

Nos. 04-72545
04-76303

Agency Nos. A92-810-793
A76-610-962
A76-610-963
A76-610-964

MEMORANDUM*

On Petitions for Review of Orders of the
Board of Immigration Appeals

Submitted March 8, 2006**

Before: CANBY, BEEZER, and KOZINSKI, Circuit Judges.

Petitioners, natives and citizens of Mexico, petition for review of the Board
of Immigration Appeals' ("BIA") orders dismissing their appeal and denying their

* This disposition is not appropriate for publication and may not be cited to
or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously finds this case suitable for decision without oral
argument. *See* Fed. R. App. P. 34(a)(2).

motion to reopen and reconsider, which alleges ineffective assistance of prior counsel Earl Steen. We have jurisdiction pursuant to 8 U.S.C. § 1252. Reviewing for abuse of discretion, *Socop-Gonzalez v. INS*, 272 F.3d 1176, 1187 (9th Cir. 2001) (en banc), we deny the petitions for review.

Without deciding that the petitioners did receive ineffective assistance of counsel, we conclude that the BIA did not abuse its discretion in determining that they failed to demonstrate the prejudice required for relief. *See Rojas-Garcia v. Ashcroft*, 339 F.3d 814, 826 (9th Cir. 2003). Legis-Alvarez's contentions regarding his citizen children's birth certificates and his employer's evidence do not indicate that the outcome of his cancellation of removal proceedings may have been affected by counsel's performance. Nor have the remaining petitioners contended that the BIA erred in determining that they had no relief available other than the pre-hearing voluntary departure they accepted.

Petitioners' remaining contentions are unpersuasive.

PETITIONS FOR REVIEW DENIED.